

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
NORTHERN DIVISION**

FELISA G. MYERS,

Plaintiff,

vs.

**JO ANNE B. BARNHART,
Commissioner of
Social Security,**

Defendant.

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*** Civil Action No. 04-00822-CB-B**

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and there having been no objections filed, the recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) and dated November 8, 2005, that Plaintiff's motion for leave (Doc. 2) be denied and Defendant's motion to dismiss (Doc. 12) be granted, is **ADOPTED** as the opinion of this Court.

DONE and ORDERED this the 30th day of November, 2005.

s/Charles R. Butler, Jr.
Senior United States District Judge